

### REMARKS

Claims 1-78 are currently pending with claims 1, 11, 21, 32, 43, 47, 51 and 55 being independent. Claims 1 and 43 have been amended to recite a thin film transistor. No new matter has been introduced.

Applicants acknowledge with appreciation the Examiner's indication that claims 11-20, 32-46, 55-59, 62, 64, 66, 67, 70, 72, 74, 75 and 78 are allowable.

Claims 1-10, 21-31, 47-54, 60, 61, 63, 65, 68, 69, 71, 73, 76 and 77 (including independent claims 1, 21, 47 and 51) have been rejected as being unpatentable over Morita (U.S. Patent No. 6,259,200) in view of Sato (U.S. Patent No. 6,327,006) and Kim (U.S. Patent No. 6,100,954).

With respect to claims 1 and 47, and their dependent claims, applicant requests reconsideration and withdrawal of this rejection because neither Morita, Sato, Kim, nor any proper combination of the three describes or suggests a thin film transistor formed over the planarization insulating film, as recited in claim 1, or forming a thin film transistor including an active layer over the planarization insulating film, as recited in claim 47.

The rejection indicates that Kim discloses a gate 113 with a planarization layer 157 thereon, and a channel formation region 119 over the planarization layer (col. 16, lines 45-65) and discloses, in FIG. 10G, a metallization 127, a planarization layer 159, and a metallization 131 (col. 15, lines 44-60). Even assuming for sake of argument that this is correct, Kim does not describe or suggest a thin film transistor formed over the planarization layer 157. Nor does Morita, which the Examiner concedes does not show a channel forming region over the planarization layer, or Sato, which is cited as showing planarization by CMP.

In addition, applicant notes that, in indicating the allowable subject matter, the Examiner states that the art of record does not "teach the TFT on the planarized layer in combination with the other limitations of the allowable claims."

Accordingly, for at least these reasons, the rejection of claims 1 and 47, and their dependent claims, should be withdrawn.

With respect to claims 21 and 51, and their dependent claims, applicant requests reconsideration and withdrawal of this rejection because neither Morita, Sato, Kim, nor any proper combination of the three describes or suggests a capacitance wiring formed over the planarization insulating film and electrically connected to a pixel electrode, as recited in claims 21 and 51. The rejection asserts that the ITO layer of Morita can be considered to be the top capacitance wiring. However, even assuming for sake of argument that this is the case, neither Morita, Sato nor Kim describes or suggests electrically connecting a pixel electrode to the ITO layer, as recited in each of claims 21 and 51. For at least this reason, the rejection of claims 21 and 51, and their dependent claims, should be withdrawn.

Applicant submits that all claims are in condition for allowance.

The fee in the amount of \$790 for the request for continued examination is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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**Customer No. 26171**  
Fish & Richardson P.C.  
1425 K Street, N.W. - 11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

  
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John F. Hayden  
Reg. No. 37,640